



W.P.(MD).No.6922 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.6922 of 2024

N.Muruganantham

... Petitioner

Vs

1. The Secretary to Government,
School Education Department,
Secretariat, Chennai 9.
2. The Director of School Education,
D.P.I. Campus, College Road,
Chennai 6.
3. The District Educational Officer,
Sivaganga District, Sivaganga.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant and settle the belated payment interest at the rate of 12 % @ on the delayed payment of arrears of pay and Allowances for a sum of Rs. 12,63,208/- for the period from 1994 to 2018 (24 years) in the light of the Division Bench Judgment of this Court reported in (2018) 1 MLJ 228, dated 20.10.2017.



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W.P.(MD).No.6922 of 2024

For Petitioner : Mr. S.Govindan

For Respondents : Mr.T.Amjadkhan
Government Advocate

ORDER

The petitioner has filed this writ petition seeking to issue a direction to the respondents to grant and settle the belated payment interest at the rate of 12 % @ on the delayed payment of arrears of pay and Allowances for a sum of Rs. 12,63,208/- for the period from 1994 to 2018 (24 years) in the light of the Division Bench Judgment of this Court reported in (2018) 1 MLJ 228, dated 20.10.2017.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. Perused the materials available on record.

3.The petitioner's service has been regularised with effect from 31.10.1994, in pursuant to various judicial pronouncement especially, in view of the order passed by this Court in W.P(MD) No.5701 of 2011, dated 03.11.2011. Consequently, the petitioner's service has been regularised with effect from 31.10.1994, vide G.O.Ms.No.76, dated 10.06.2014. However, the



W.P.(MD).No.6922 of 2024

arrears pursuant to his regularisation was settled to him only in the year 2018.

Therefore, the petitioner claimed interest for the delayed settlement counting from the year 1994, ie., from the date on which, he was regularized.

4.In fact, pursuant to the order of this Court, dated 03.11.2011 the service of the petitioner has been regularised. Since the petitioner's service has been regularized by virtue of G.O.Ms.No.76, the petitioner can, at the best, claim interest only from the date of G.O.Ms.No.76, dated 10.06.2014 till the date of settlement, not any time before.

5.In the result, this writ petition is partly allowed and the respondents are directed to sanction interest on the delayed payment of arrears of pay and admitted Allowances to the petitioner along with interest @ 6% from 10.06.2014 to till the date of payment, within a period of six (6) weeks from the date of receipt of copy of this order. There shall be no order as to costs.

05.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



W.P.(MD).No.6922 of 2024

To

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W.P.(MD).No.6922 of 2024

R.N.MANJULA, J.

PNM

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W.P.(MD).No.6922 of 2024

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